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IN THE CLAIMS

Please cancel claims 33, 34 and 37-39.

REMARKS

Applicants have canceled claims 33-34 and 37-39, thus claims 21-32, 35-36 and 40-46 remain pending. Applicants believe this application is now in condition for allowance.

Applicants thank the Examiner for providing such a complete response to Applicants' previous arguments.

Rejections under 35 U.S.C. 102(e)

Claims 31-34 and 40-42 were rejected under 35 U.S.C. 102(e) as being anticipated by Matsuo et al., U.S. Patent No. 5,312,769, hereinafter referred to as Matsuo, as previously applied in the Office Action mailed 10/24/00.

Applicants respectfully reiterate their arguments from their amendment and response mailed November 27, 2000.

With respect to claim 31, Applicants would like to point out that Matsuo fails to disclose forming a contact in an overlayer. The Office Action describes an electrode (13) of Matsuo as a contact. While it is true that the electrode and contact have conductive materials, it is not true that they are the same. Such reasoning would draw the conclusion that every conductive or possibly conductive semiconductor component is the same as every other. The contact, as used in Applicants' claim, is used to ^{2 Jan} ~~not claim~~ ^{as} ~~Matsuo~~ contact one conductive layer, thus the material used for the contact is selected differently than the components which it connects. The electrode (13) of Matsuo is

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used as an electrode. The fact that the electrode (13) comes in contact with a polysilicon layer (12) does not make the electrode (13) or any part thereof a contact. The materials used in all parts of the electrode (13) are selected to perform as an electrode, not a contact. Thus, the electrode (13) of Matsuo does not teach forming a contact in an overlayer as in Applicants' claim 31. Applicants respectfully request removal of this rejection.

Claim 32 depends from claim 31 which Applicants have shown to be allowable. Thus, claim 32 is allowable.

Applicants reiterate the arguments in support of claim 31-32 in support of claims 40-42.

Claims 26-28, 30, 35, 36, 44 and 45 were rejected under 35 U.S.C. 102(e) as being anticipated by Bergemont, U.S. Patent No. 5,484,741, hereinafter referred to as Bergemont, as previously applied in the Office Action mailed 10/24/00.

Applicants respectfully reiterate their agreements from their amendment and response mailed November 27, 2000.

The Office Action admits that "Bergemont fails to explicitly show wherein the etching treatment used in etching the contact hole in the overlayer etches an amount of the layer of the first conductive material." The Office Action further states that no etchant is capable of being completely selective and implies that a conductive layer will inherently be etched some indeterminate amount. Applicants agree that current etchants aren't capable of being completely selective (to an extreme degree), which is part of the reason for Applicants' invention. It is very possible when etching, that undesired etching can occur. It is also very possible that enough etching does not occur. This is why Applicants' present invention is so important. By having a thick region and purposefully etching an amount of it, one can be reasonably sure that the contact will be in contact with the conductive layer. In the etching described in the Office Action, it

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is highly possible that the accidental amount of etching could etch through a conductive layer without a thick region or result in not etching enough of the overlayer. In summary, the undesirable etching described in the Office Action is not the same as that which is claimed by Applicants.

Rejections under 35 U.S.C. 103(a)

Claim 21-25 were rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuo. Additionally, Applicants respectfully reiterate the arguments above for claims Claims 31-32 and 40-42 in showing that Matsuo fails to teach forming a contact.

Claim 21 includes "etching a contact hole in said overlayer." Matsuo fails to teach etching a contact hole. Matsuo only teaches etching an insulating film (23) as shown in figures 2A-2E. Applicants request that the rejection of claim 21 be removed.

Claims 22-25 depend from claim 21. If claim 21 has been shown to be allowable, then claims 22-25 are allowable. Applicants respectfully request that the rejection of claims 22-25 be removed.

Claim 43 was rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuo, in view of Wolf et al., hereinafter referred to as Wolf, as previously applied in the Office Action mailed 10/24/00. Applicants respectfully reiterate their arguments from their response to the office action mailed 10/24/00.

The Examiner admits that Matsuo does not show "wherein forming the contact includes etching a tolerable amount of the thick region and forming the contact physically in contact with the thick region at a depth deeper than an upper surface of the thick region." The Examiner further states that Wolf teaches that oxide may be etched selectively to polysilicon material and that etching can include a tolerable amount of polysilicon. Applicants respectfully submit that this combination fails to teach

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the subject matter of claim 43. The tolerable amount in claim 43 is much higher than the tolerable amount used in Wolf due to the thick region. Applicants are not requesting that limitations from the specification be read into the claims. However, Applicants are distinguishing existing claim limitations from a reference that does not teach those claim limitations. In other words, Applicants' tolerable amount is different than the tolerable amount in Wolf due to the presence of the localized thick region. Furthermore, claim 43 depends from claim 40 which Applicants have shown to be allowable.

Claims 29 and 37-39 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bergemont, as applied to claims 26, 35, and 36, in view of Chiang et al., U.S. Patent No. 5,817,572, hereinafter referred to as Chiang.

Claim 29 depends from claim 26 which Applicants have shown to be allowable. Since claim 29 depends from an allowable claim, claim 29 is itself allowable.

Applicants respectfully request that this rejection of claim 29 be removed.

Claim 46 was rejected under 35 U.S.C. 103(a) as being unpatentable over Bergemont, as applied to claim 45 above, in view of Akimoto. Applicants respectfully reiterate their arguments that Bergemont does not teach or suggest the subject matter claimed in claim 45. Furthermore, Applicants expressly reserve the right to swear behind Akimoto which has an issue date of September 16, 1997, and a filing date of December 27, 1994. Claim 46 depends from claim 45 which Applicants have shown to be allowable. Thus, claim 46 is itself allowable. Applicants respectfully request that this rejection of claim 46 be removed.

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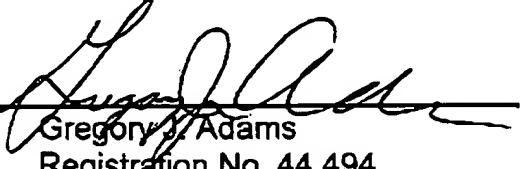
CONCLUSION

Applicants respectfully submit that, in view of the above amendments and remarks, the application is now in condition for allowance. The Examiner is encouraged to contact the undersigned to resolve efficiently any formal matters or to discuss any aspects of the application or of this response. Otherwise, early notification of allowable subject matter is respectfully solicited.

Respectfully submitted,

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